

REMARKS

The examiner has noted that claim 10 contained a few grammatical errors. In response, the applicant has amended claim 10 as suggested by the examiner. The examiner has also pointed out that claim 10 (and its dependent claims) were indefinite for failing to particularly point out and distinctly claim the subject matter. In particular, the examiner believed that the phrase "at least one rotary valve element mounted within the housing and outside the cylinder" rendered the claims indefinite. In response, the applicant has amended the claim to more distinctly claim the subject matter.

The examiner has noted that claims 4/1, 4/2 and 4/3 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The applicant thanks the examiner for his assistance, and in response, the applicant has amended claim 1 to recite the limitations of claim 4 and should now be allowable. Claims 2 and 3, being dependant on amended claim 1, are also allowable.

The examiner has noted that claims 11 and 12 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph as discussed above and to include all of the limitations of the base claim and any intervening claims. In response, claim 10 has been amended to include the limitations of previous claim 11 and claim 11 has been amended to include the limitations of claim 12.

The remaining claims have been deleted.

In view of the foregoing amendments and remark, it is submitted that all of the claims remaining in the application are now in condition for allowance and such action is respectfully requested. Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that he be contacted at the number indicated below.

For the reasons outlined above, withdrawal of the rejections of record and an allowance of this application are respectfully requested.

Respectfully submitted

By:



Elias C. Borges
Registration No. 46,424
Attorney for the Applicant

Elias C. Borges
Borges & Rolle LLP
555 Burnhamthorpe Road, Suite 406
Toronto, Ontario, CANADA, M9C 2Y3
Phone: (416) 622-8718
Fax: (416) 622-4724
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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax. No. (571) 273-8300 on December 17, 2008.

Elias C. Borges

Signature

